

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA**

LabMD, Inc., *Petitioner*,

v.

Federal Trade Commission,

*Respondent.*

No. 1:19-MI-00071

**FTC'S UNOPPOSED MOTION FOR EXTENSION  
OF TIME TO FILE SUPPLEMENTAL BRIEF**

The Federal Trade Commission respectfully requests a 17-day extension of the time in which to respond to LabMD's supplement to its request for attorney's fees, from August 13, 2019 until August 30, 2019.

In support of the motion, the FTC states the following:

1. LabMD's petition for attorney's fees is before this Court on referral from the Eleventh Circuit. This Court held a status conference on June 13, 2019, at which it (1) permitted LabMD to supplement the record with unredacted copies of bills that were heavily redacted in LabMD's original fee petition; (2) allowed the FTC to file a supplemental response to the petition; and (3) allowed LabMD to file a reply.

2. The Court entered an order on June 24, 2019, setting LabMD's initial deadline as July 15, the FTC's brief two weeks later, and LabMD's response two weeks after that.

3. On July 11, the Court granted LabMD's unopposed motion to extend its deadline by 16 days to July 31, 2019. LabMD filed its unredacted bills on July 30 and the FTC's supplemental response is therefore due on August 13.

4. The FTC's new deadline falls smack in the middle of its lead counsel's previously scheduled family vacation, which will take him out of the country from August 7 until August 23, 2019.

5. The FTC therefore respectfully requests an equivalent extension of the time for its supplemental brief, from August 13 until August 30.

6. Counsel for the FTC conferred with counsel for LabMD regarding this motion and is authorized to represent that LabMD does not oppose the extension.

For the reasons described above, the FTC requests a 17-day extension (until August 30, 2019) of the time to file its supplemental response to LabMD's fee request.

Respectfully submitted,

s/Theodore (Jack) Metzler

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### **CERTIFICATE OF SERVICE**

I hereby certify that on August 2, 2019 I filed the foregoing with the Court's appellate CM-ECF system, and that I caused the foregoing to be served through the CM-ECF system on counsel of record for petitioner, who is a registered ECF user.

/s/ Theodore (Jack) Metzler

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